



Littler Mendelson, P.C.  
900 Third Avenue  
New York, NY 10022.3298

June 5, 2012

Jennie Woltz  
212.583.2689 direct  
212.583.9600 main  
646.365.3232 fax  
jwoltz@littler.com

**BY MESSENGER**

Clerk of the Court  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: Marsh USA Inc. v. Raymond Falk  
Case No. 12 CV 3044 (LTS) (HBP)

Dear Sir/Madam:

This firm represents Marsh USA Inc. and Marsh Inc. ("Plaintiffs") in the above-referenced matter.

Enclosed please find the following documents to admit Kerry Notestine *Pro Hac Vice*:

1. Plaintiffs' Motion to Admit Kerry Notestine *Pro Hac Vice*;
2. Declaration of Gregory B. Reilly in Support of Plaintiffs' Motion to Admit, attached as Exhibit A;
3. Certificate of Good Standing from the State Bar of Texas, attached as Exhibit B;
4. Proposed Order, attached as Exhibit C; and
5. Certificate of Service.

Also enclosed is our Check No. 622137 in the amount of \$200.00 representing the US District Court's *pro hac vice* admission fee.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Jennie Woltz

JW/ljw

Enclosures

cc: Judith A. Lockhart, Esq. (via E-Mail and Overnight Mail)  
William S. Helfand, Esq. (via E-Mail and Overnight Mail)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH INC.,

Plaintiffs,

-against-

RAYMOND FALK,

Defendant.

Case No. 12 CV 3044 (LTS)(HBP)

**PLAINTIFFS' MOTION TO ADMIT  
KERRY NOTESTINE *PRO HAC VICE***

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, Gregory B. Reilly, a member in good standing of the bar of this Court, hereby moves this Court for an Order allowing the admission *pro hac vice* of

Applicant's Name: Kerry Notestine  
Firm Name: Littler Mendelson, P.C.  
Address: 1301 McKinney St., Suite 1900  
City/State/Zip: Houston, TX 77010  
Phone Number: 713.652.4748  
Fax Number: 713.951.9212  
Email Address: knotestine@littler.com

Kerry Notestine is a member in good standing of the Bar of the State of Texas, and is eligible to practice law in the United States Supreme Court, the U.S. Court of Appeals for the 3rd, 5th, 10th, and D.C. Circuits, and the U.S. District Courts for the Northern, Eastern, Southern, and Western Districts of Texas, and the U.S. District Court for the District of Colorado.

Upon information and belief, there are no pending disciplinary proceedings against Mr. Notestine in any State or Federal court.

In support of this Motion, attached please find a Declaration in Support of Plaintiffs' Motion to Admit Mr. Notestine *Pro Hac Vice* (attached hereto as Exhibit A); a Certificate of Good Standing for Mr. Notestine from the State of Texas (attached hereto as Exhibit B); a proposed Order for Admission *Pro Hac Vice* (attached hereto as Exhibit C); and the required \$200.00 fee. Mr. Notestine intends to appear as counsel in the above-styled action on behalf of Plaintiffs.

Dated: June 5, 2012  
New York, New York

Respectfully submitted,



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Gregory B. Reilly  
LITTLER MENDELSON, P.C.  
900 Third Avenue  
New York, New York 10022  
212-583-9600  
greilly@littler.com

*Attorneys for Plaintiffs*

## **EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH INC.,

Plaintiffs,

-against-

RAYMOND FALK,

Defendant.

Case No. 12 CV 3044 (LTS)(HBP)

**DECLARATION OF GREGORY B.  
REILLY IN SUPPORT OF PLAINTIFFS'  
MOTION (UPON CONSENT) TO  
ADMIT  
KERRY NOTESTINE *PRO HAC VICE***

**I, Gregory B. Reilly**, hereby declare and say as follows:

1. I am a Shareholder at Littler Mendelson, P.C. I submit this declaration based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, to admit Mr. Kerry Notestine as counsel *pro hac vice* to represent Plaintiffs in this matter.

2. I am a member in good standing of the Bar of the State of New York and was admitted to practice law in New York in 1993. I am also a member of the bars of the State of New Jersey, Connecticut and Massachusetts and the United States District Courts for the states of Connecticut, Massachusetts, New Jersey and the Southern, Eastern and Western Districts of New York, and the U.S. Court of Appeals for the 1st and 2nd Circuits and I am in good standing with all of these courts.

3. I have known Mr. Notestine since 2007.

4. Mr. Notestine is a Shareholder of Littler Mendelson, P.C., 1301 McKinney St., Suite 1900, Houston, TX, 77010. Upon information and belief, Mr. Notestine is a member in

good standing of the Bar of the State of Texas, and is eligible to practice law in the United States Supreme Court, the U.S. Court of Appeals for the 3rd, 5th, 10th, and D.C. Circuits, and U.S. District Courts for the Northern, Eastern, Southern, and Western Districts of Texas, and the U.S. District Court for the District of Colorado, and no disciplinary actions have been instituted against him or are pending against him in any jurisdiction.

5. I have found Mr. Notestine to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

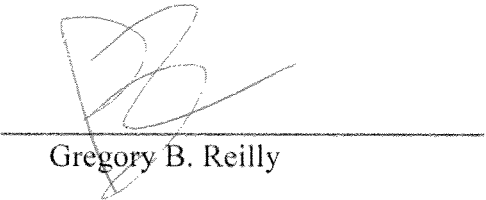
6. Mr. Notestine has assured me that he is familiar with all rules relevant to the practice of law in the United States District Court for the Southern District of New York. He has also assured me that, if admitted, he will abide by the rules of this Court.

7. I also have advised Defendant's counsel, William Helfand, Esq. of my intent to seek Mr. Notestine's admission *pro hac vice*, and Mr. Helfand has advised me that he has no objection.

8. Accordingly, I am pleased to move the admission of Mr. Notestine, *pro hac vice*.

I declare under penalty of perjury under the laws of the United States of America and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed: June 5, 2012



Gregory B. Reilly

**EXHIBIT B**

# STATE BAR OF TEXAS



## Office of The Chief Disciplinary Counsel

May 23, 2012

RE: **Mr. Kerry E. Notestine**  
State Bar Number - **15116950**

To Whom it May Concern:

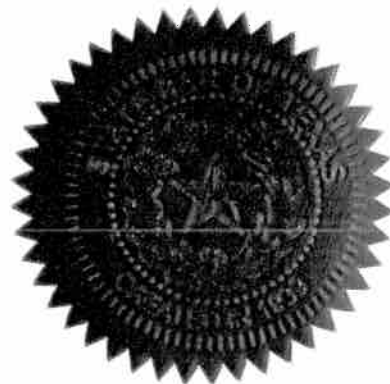
This is to certify that Mr. Kerry E. Notestine was licensed to practice law in Texas on November 04, 1983 and is an active member in good standing with the State Bar of Texas.

Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

Linda A. Acevedo  
Chief Disciplinary Counsel

LA/dh





**EXHIBIT C**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH INC.,

Plaintiffs,

-against-

RAYMOND FALK,

Defendant.

Case No. 12 CV 3044 (LTS)(HBP)

**ORDER FOR ADMISSION  
*PRO HAC VICE*  
OF KERRY NOTESTINE  
ON WRITTEN MOTION AND UPON  
CONSENT**

Upon the motion of Gregory B. Reilly, attorney for Plaintiffs, and said sponsor attorney's affidavit in support thereof, IT IS HEREBY ORDERED that

Applicant's Name: Kerry Notestine  
Firm Name: Littler Mendelson, P.C.  
Address: 1301 McKinney St., Suite 1900  
City/State/Zip: Houston, TX 77010  
Phone Number: 713.652.4748  
Fax Number: 713.951.9212  
Email Address: knotestine@littler.com

is admitted to practice *pro hac vice* as counsel for Plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Additionally, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall also forward the *pro hac vice* fee of \$200.00 to the Clerk of Court.

SO ORDERED:

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**Littler**  
Employment & Labor Law Solutions Worldwide

**NEW YORK OFFICE**  
900 THIRD AVENUE  
NEW YORK, NY 10022-3298  
(212) 583-9800

**UnionBank**  
Payable at any Union Bank branch including  
400 California St., San Francisco, CA 94104  
(800) 898-6466 unionbank.com  
16-49-6/1220 7000142586

622137

6/1/2012

PAY TO THE ORDER OF Clerk Of The US District Court- Southern District

\$ \*\*200.00

Two Hundred Only\*\*\*\*\*

DOLLARS

500 Pearl Street  
New York, NY 10007

LITTLER MENDELSON P.C.  
NOT VALID OVER \$1,000 - VOID AFTER 90 DAYS

*Diann J. Ebnier*

MEMO

059121.1028 - Motion Pro Hac Vice

⑈622137⑈ ⑆122000496⑆ 7000142586⑈

LITTLER MENDELSON P.C. NEW YORK OFFICE

Clerk Of The US District Court- Southern District  
2010 Costs:047 Filing Fee

6/1/2012

622137

200.00

New York Imprest

059121.1028 - Motion Pro Hac Vice

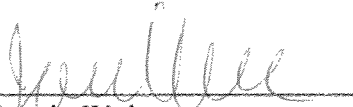
200.00

**CERTIFICATE OF SERVICE**

This is to certify that on June 5, 2012, a copy of Plaintiffs' Motion to Admit Kerry Notestine *Pro Hac Vice* was served via Electronic Mail and Overnight Mail to Defendant's counsel at the below addresses:

William Helfand, Esq.  
Chamberlain, Hrdlicka, White, Williams & Aughtry LLP  
1200 Smith Street  
14th Floor  
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Bill.Helfand@CHAMBERLAINLAW.COM

Judith A. Lockhart, Esq.  
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Jennie Woltz  
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